

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 23-cv-61018-ALTMAN/Hunt**

**SHENZHEN AIFASITE  
ELECTRONIC COMMERCE  
CO., LTD,**

*Plaintiff,*

*v.*

**THE PARTNERSHIPS AND  
UNINCORPORATED  
ASSOCIATIONS IDENTIFIED  
ON SCHEDULE “A,”**

*Defendants.*

**ORDER ON DEFAULT FINAL JUDGMENT PROCEDURE**

The Plaintiff filed a Motion for Clerk’s Entry of Default [ECF No. 53], which the Clerk of Court granted, *see* Clerk’s Entry of Default [ECF No. 54].<sup>1</sup> On our review of the record, it appears

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<sup>1</sup> The Clerk entered default as to the Defendants identified on Schedule “A” to the Complaint, *see* Compl. [ECF No. 1], numbered BelonRro (6), Best Choice (8), Bnwani Store (11), Brocade (12), Brocade Co. Ltd (13), BUKANG LLC (14), CEHONMS (15), Cimiva (19), CXHDZ (23), Diantic Co., Ltd. (27), DOLL GTUVT (29), Doyoudo (30), EAGLE (31), Fengniao Store Ts (35), Gchagohay (39), Gomyhom (40), GQING Co.Ltd (42), GQY Time lag (43), Guang Zhou Rui Tao Ke Ji You Xian Gong Si (46), guangzhougongyuanminmaoyiyouxiangongsi (47), GuangZhouXiaoYuWangLuoYouXianGongSi (49), GZSHY (50), Haijiaerte (51), Haikou Tiegan Fanda E-commerce Co., Ltd (52), haomeijiajiankangkeji (53), Hejing (56), Home Supply Co.,Ltd (59), Hunankeyuanzhinengkejiyouxiangongsi (60), HXZH (62), ikayaa (63), jinhuashilongmandeqidianzishangwuyouxiangongsi (68), Jinyiyuan Technology Inc. (69), Jocelyn LLC (72), LA FOREOREUSE DE POINTE (79), Lannger (80), Larylus (81), LIANYAO (84), LUNE (86), LWCARE (89), Maple leaves (91), Melorance (92), Micaloco (93), Modern Edition Store (94), ONLENY (99), Ostrich (101), POETIC SENTIMENT (104), RICCE (110), RR Co.ltd (111), shen zhen shi fang ji ke ji you xian gong si (115), shen zhen shi xiao mei sen shi pin you xian gong si (116), Shenzhenshi bairanjiadianzishangwu youxiangongsi (118), shenzhenshidashengyongyumaoyiyouxiangongsi (119), Shuoguohui (121), SICHUANRUIHONGJIAYEKEJI (122), T.S.CO (126), Tiger (127), Typk LLC (130), Un Poco Loco (132), Unique Toys Inc (133), Uteam (134), Wanchen (135), Wannabuy (136), XIEOO (140), YANWU Co.Ltd (141), yiwushixiaohuamingqishuomaoyiyouxiangongsi (142), yiwushixugetiyuyongpinyouxiangongsi (143), YWGX (146), and ZIXIN Co.Ltd (147). This Order

that these Defendants have indeed failed to respond to the Complaint or otherwise appear in this action. Therefore, the Court hereby **ORDERS and ADJUDGES** that the Plaintiff must file one of the following two responses by **November 17, 2023**:

(1) Where there is only one Defendant, or where there are multiple Defendants,<sup>2</sup> but no allegations of joint and several liability and no possibility of inconsistent liability between the Defendants, the Plaintiff shall file a *motion for default final judgment*.

The *motion for default final judgment* must include affidavits that delineate any sums certain due by the Defendants and any other supporting documentation which might be necessary to determine the Plaintiff's measure of damages. The *motion* shall also be accompanied by: (1) the affidavit required by the Servicemembers Civil Relief Act, 50 U.S.C. app. § 521(b), if applicable; (2) a proposed order; and (3) a proposed final judgment.<sup>3</sup> In accordance with the CM/ECF Administrative Procedures, the proposed orders **shall be submitted to the Court by e-mail in Word format** at [altman@flsd.uscourts.gov](mailto:altman@flsd.uscourts.gov). The Plaintiff shall send a copy of the *motion* to the Defendants' counsel or to the Defendants if the Defendants do not have counsel. In the certificate of service, the Plaintiff shall note that notice was sent and identify the addresses to which that notice was sent.

If the Defendants fail to move to set aside the Clerk's Default or to respond to the *motion for default final judgment* within the time permitted by the Rules, default final judgment may be entered, which, simply put, means that the Plaintiff may be able to take the Defendants' property or money,

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applies to only the Defendants listed here.

<sup>2</sup> If there are multiple defendants, the Plaintiff must note in the *motion for default final judgment* that there are no allegations of joint and several liability and explain why there is no possibility of inconsistent liability.

<sup>3</sup> These last two are required by Local Rule 7.1(a)(2). The proposed order shall explain—in detail—why the Plaintiff is entitled to relief. *Cf. Out-Grow, LLC v. Miami Mushroom*, 2021 WL 2823266, at \*3 (S.D. Fla. July 7, 2021) (Altman, J.) (“Conceptually, then, a motion for default judgment is like a reverse motion to dismiss for failure to state a claim.” (quoting *Surtain v. Hamlin Terrace Found.*, 789 F.3d 1239, 1245 (11th Cir. 2015))).

and/or obtain other relief against Defendants.

(2) Where there are multiple Defendants and allegations of joint and several liability, or the possibility of inconsistent liability between the Defendants, the Plaintiff shall file a *notice of joint liability*. See *Frow v. De La Vega*, 82 U.S. 552, 554 (1872); 10A CHARLES ALAN WRIGHT AND ARTHUR R. MILLER, FEDERAL PRACTICE AND PROCEDURE § 2690 (3d ed. 1998) (citing *Frow*, 82 U.S. at 554); see also *Gulf Coast Fans, Inc. v. Midwest Elecs. Imp., Inc.*, 740 F.2d 1499, 1512 (11th Cir. 1984).

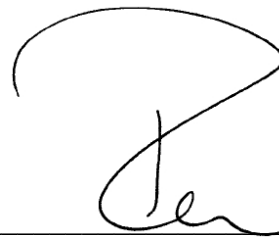
The *notice of joint liability* must briefly describe the allegations and advise the Court of the status of the other Defendants' liability. Once liability is resolved as to all of the Defendants, the Plaintiff may move for the entry of default final judgment against the Defendants, as described in (1) above, no later than 14 days after liability is resolved against all Defendants.

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The Plaintiff's failure to file for a *motion for default final judgment* or *notice of joint liability* within the specified time *will* result in a **dismissal** without prejudice of the Plaintiff's claims against these Defendants.

This case shall remain **CLOSED** for administrative purposes pending final default.

**DONE AND ORDERED** in the Southern District of Florida on November 3, 2023.

A handwritten signature in black ink, appearing to be 'Roy K. Altman', written over a horizontal line.

**ROY K. ALTMAN**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record